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7 MARIO BANA dba IDEAL RV
& TRAILER SUPPLY and NANCY
8 BANA dba IDEAL RV & TRAILER
SUPPLY
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10 UNITED STATES DISTRICT COURT
11

12 NORTHERN DISTRICT OF CALIFORNIA

13 PHILIP E. POOR on behalf of himself and
14 others similarly situated,

15 Plaintiff,

16 vs.

17 MARIO BANA DBA IDEAL R V &
18 TRAILER SUPPLY, & NANCY BANA
19 DBA IDEAL R V & TRAILER SUPPLY
DOE 1 to 10

20 Defendant.

21
22 CASE NO. CV12-02206-LB

23 STIPULATION OF DISMISSAL OF
24 ACTION WITH PREJUDICE (Fed. R.
Civ. P. 41)

25 MARIO BANA DBA IDEAL RV &
TRAILER SUPPLY & NANCY BANA
DBA IDEAL RV & TRAILER SUPPLY,

26 Counter-Claimants,

27 vs.

28 PHILIP E. POOR and ROES 1-30, inclusive,

Counter-Defendants.

STIPULATION

WHEREAS, Plaintiff and Counter-Defendant PHILIP E. POOR ("Poor") filed his Complaint against Defendants and Counter-Claimants MARIO BANA dba IDEAL RV & TRAILER SUPPLY and NANCY BANA dba IDEAL RV & TRAILER SUPPLY ("Ideal RV") on May 2, 2012, alleging failure to pay overtime wages and violation of California Business and Professions Code section 17200.

WHEREAS, Ideal RV filed its Counterclaim against Poor on October 5, 2012, alleging conversion.

WHEREAS, Plaintiff and Counter-Defendant PHILIP E. POOR and Defendants and Counter-Claimants MARIO BANA dba IDEAL RV & TRAILER SUPPLY and NANCY BANA dba IDEAL RV & TRAILER SUPPLY (collectively, "the Parties") have agreed to resolve and settle this action and have entered into a confidential settlement agreement.

THEREFORE, IT IS HEREBY STIPULATED by and between the Parties through their designated counsel of record that the above-captioned action, including all claims alleged in the Complaint filed by Plaintiff/Cross-Defendant and all counter-claims alleged in the Cross-Complaint filed by the Cross-Complainants/Defendants, should be dismissed WITH PREJUDICE pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure. The Parties further stipulate that the Parties shall bear their own attorneys' fees, expenses and costs.

IT IS FURTHER STIPULATED that this Court should retain its jurisdiction over this case for the purpose of enforcing the settlement.

IT IS SO STIPULATED.

Date: January 28, 2014

/s/ Adam Wang

Adam Wang

Attorney for Plaintiff and Counter-
Defendant
PHILIP E. POOR

1 Date: January 28 , 2014

2 _____/s/ Olga Savage

3 Charles J. Smith

4 Tyler M. Paetkau

5 Olga Savage

6 Attorneys for Defendants and Counter-
7 Claimants

8 MARIO BANA dba IDEAL RV
9 & TRAILER SUPPLY and NANCY
10 BANA dba IDEAL RV & TRAILER
11 SUPPLY

12 PURSUANT TO THE ABOVE STIPULATION BY THE PARTIES, IT IS SO

13 ORDERED.

14 February 3, 2014

15 Date: January ___, 2014



16 _____
17 The Honorable Laurel Beeler
18 United States Magistrate Judge
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